

OPPOSES DIRECT NOMINATIONS

COMMISSION TURNS DOWN GOV. HUGHES'S SCHEME.

It Reports a Bill Retaining the Time Honored Convention Plan and Making the Seventh Tuesday Before Election a Uniform Primary Day in the State.

ALBANY, Feb. 21.—The legislative commission appointed to inquire into the operations of direct nomination laws in other States reported to the Legislature to-night against Gov. Hughes's direct nomination scheme, the essential feature of which abolishes the party convention.

Senator George L. Mead of Rochester was chairman and Assemblyman Jesse S. Phillips of Allegany county was the vice-chairman of this commission, and while they retain the time honored convention plan for nominating candidates in a bill introduced to-night on behalf of the commission radical changes in the existing method of holding primaries and selecting delegates to conventions are recommended.

At the outset the commission declares that even if direct nominations were advisable in this State, before such a scheme should be put into operation the Constitution should be amended so as to permit the use of the so-called short ballot through the elimination of the more unimportant elective officers. The commission's bill establishes a uniform primary day throughout the State, which will be the seventh Tuesday before election, usually occurring about the middle of September.

This is the day now designated as primary day in the State and villages of over 1,000 inhabitants, or in other words where personal registration is now required. The change which this would accomplish is that it would establish a primary day for the rural districts as well as do away with snap conventions and with winter conventions.

Of course in a Presidential year in addition to the September primary day there will be a spring primary day to name delegates to the State convention which will name national delegates.

Now the parties hold primaries in separate places. Under the proposed new law primaries will be held at one place and will be conducted by the regular election officers, and they must be held open for a specified time and not held at inconvenient times or hours.

There is an enrollment now where personal registration is required, but hereafter there must also be an enrollment of voters in the rural districts on election day, or if they fail to enroll then they may enroll afterward by affidavit with the County Clerk.

An official primary ballot is provided at public expense and delegates to all conventions shall be named at the primary at the one time. County, town and village committees also must be elected by direct vote at the primary. The members of a State committee will be selected by the delegates representing each district at a State convention as at present. The names of candidates for delegates to conventions and committees shall be filed before primary day and any one can be a candidate for delegate or committee upon his own declaration or upon the petition of twenty-five enrolled voters, and his name must be printed on the official ballot.

No convention can be held until ten days after primary day, and if there is no contest in the course over delegates to be elected on primary day their certificate is conclusive, and if there is a contest the adjudication of the court is conclusive, which will render impossible any future contests in conventions over the seating of delegates. Another important provision does away with the secret balloting of delegates in the minor conventions and requires a delegate to express his choice openly, unless there is no objection to voting a delegation by counties in a convention.

The commission makes these recommendations.

First—That a uniform primary day, not earlier than September 1, except in Presidential years, when it shall not be earlier than April 1, be established throughout the State.

Second—That a joint primary election for all parties be held at the regular voting places, be presided over by the regular election officers, be kept open not less than five hours, and governed by all the provisions of the election law relating to election day so far as the same may be applicable.

Third—That all political parties recognized as such by the general election law be subject to the law.

Fourth—That there be an enrollment of party voters throughout the State; such enrollment to be made at the time of registration where personal registration is required, and on the day of general election or on registration day where personal registration is not required.

Fifth—That at the primary ballot be printed for each party at public expense upon which shall be placed the names of delegates to all conventions appropriately designated and so arranged that the party voter may vote for groups of delegates, or for any of the delegates, according to his choice, in other words, a "straight" or "split" ticket.

Sixth—That party, county, town and ward committees be elected by a direct vote at the primary.

Seventh—That the names of all candidates for delegates to conventions and committees be filed with appropriate officers a reasonable length of time before primary day.

Eighth—That all so-called intermediate conventions for selecting delegates to other conventions be abolished.

Ninth—That the date for holding political conventions after said primary day be fixed by statute, and the procedure thereon governed by law; that all delegates elected to sit in convention and armed with a certificate issued by the custodian of the primary records to that effect shall be secure in their seats; that contesting delegations be heard by a Justice of the Supreme Court or county Judge of the county in which the convention is held.

Tenth—That all voting in conventions by ballot be abolished and that upon call of the roll each delegate be required to express openly his choice with respect to the various nominations; but State conventions may vote by counties if no objection is made in the convention.

Eleventh—That the number of delegates to several conventions be fixed by party statute, and that the representation of various party committees be also determined by party regulation.

Twelfth—That the law relating to corrupt practices at elections be amended so as to include the primary election.

Regarding the demand for primary reform the report says:

The committee and those associated with it are of the opinion that the present system of direct nomination is a failure, and that the measures proposed will provide adequate remedy for conditions in the political life of the State which have become unsatisfactory, and the proposed primary reforms will accomplish the high object of all political machinery—the selection of competent, conscientious, patriotic and faithful public servants for the administration of the affairs of the State.

More essential than a Statewide direct nomination system is the reform now being agitated for a "short ballot," from which will be eliminated purely administrative offices and offices requiring technical and professional skill. If a system of direct nominations is ever to be adopted in this State and if the Constitution shall be so amended as to provide for the so-called "short ballot" it will be the part of wisdom and good statesmanship to let the former follow the latter so-called reform. The tendency, however, in the direct primary States is to increase rather than limit the number of elective offices, the cry of those who seek to get into office being that the people should choose all of their public servants. With so many elective offices as there are now in this State it must be conceded by all thinking men that it is physically impossible for the average voter to make any intelligent discrimination in the selection of his officers. The very fact that there is an agitation for a "short ballot" is in and of itself proof that men who are thinking along these lines are convinced that the voters at the election cannot make an intelligent choice of their representatives in the elective list. How then can they select from so many candidates before the primary?

After the direct primary legislative investigation commission filed its report with the Senate and Assembly to-night William H. Wadsworth, president of the Hughes Direct Primary Association of the State of New York, issued the following statement:

"The expected report of a committee composed entirely of declared opponents of the direct primary system has been filed in which they advocate the continuation of the present system. This report is the last word for a system which is already doomed. Recent disclosures have made clear methods which the people of the State will not longer tolerate. There is a widespread demand that there shall be a representative system of government in which the representatives shall be chosen by the people and be responsible to them and under which they will be required to account for their nominations to the members of the political parties whom they represent. The old system of the selection by a ring of a few men, or of self-nomination through the machinery of conventions is directly responsible for the conditions which are shown to have existed in this State. There is a widespread demand that there shall be a method of making nominations which will do away with conditions that have produced the results. It is of course the reason that Gov. Hughes has stated in his message to the Legislature and in his speeches that the direct primary is the foremost reform before the State. The present system cannot be patched up. There is no time for makeshift or pretence. The issue must be met squarely and the obvious remedy applied."

Attorney-General Alfred S. Thaw Case.

ALBANY, Feb. 21.—Attorney-General O'Malley has taken an appeal from the order made by Supreme Court Justice Tompkins some days ago appointing William Van Ameringen, Orange county, to take evidence in the application of Mrs. Mary C. Thaw for the transfer of her son, Harry C. Thaw, from Matteawan State hospital to another insane asylum. The appeal will be heard by the Appellate Division of the Second Department and the result will be stayed until the question of the validity of Justice Tompkins's order is determined by the Appellate Division.

NEW CITY LAWYERS.

Five of Mr. Watson's Assistants Retire and Are Replaced.

Corporation Counsel Watson has appointed the new assistants: Frank Julian Price, salary \$5,000; Charles J. Nehrbas, \$4,500; Dudley Field Malone, \$4,500; Jesse W. Johnson, \$3,000, and John B. Shanahan, \$3,000. They take the places of Stephen O'Brien, Daniel G. Whitney, Jerome W. Coombs, William A. Mathis and David Rumsey, resigned.

Mr. Price in 1898 and 1900 represented the Kings in the Legislature. Mr. Nehrbas is a son of the late Justice Nehrbas of the City Court. Mr. Malone has been associated with the firm of O'Brien & Malone. Mr. Johnson was secretary of the committee of twenty-five which had charge of the McKane election frauds in 1894. Mr. Shanahan was at one time in the law office of Mayor Gaynor.

FERRY HEAD REMOVED.

Commissioner Tompkins Will Try to Cut Down the Deficit.

Dock Commissioner Tompkins removed yesterday John S. Ambrose, superintendent of municipal ferries, salary \$5,000. Mr. Tompkins would not give any specific reason yesterday, but he intimated that he was going to reorganize the ferry staff and see if he can't cut down the deficit. He said yesterday that the ferries were overmanned, that many of the employees were overpaid and that the repair work was far above what they ought to be. While the South Brooklyn ferry could not be expected to be self-supporting, because it was a truck ferry, it was different with the St. George ferry, which was a passenger ferry and which ought to be made to pay its way or nearly.

Nicholas in Charge of Real Estate Transfers.

Register Griffenhagen has appointed George H. Nicholas under bond to furnish to the newspapers such information as they desire about real estate transfers, mortgages and so on, "subject to lawful fees, if any, and without cost to the county." The practice of allowing miscellaneous handling of the papers has been discontinued.

Jobs for Faithful Brooklyn Democrats.

County Clerk Henry P. Molloy in Brooklyn yesterday appointed Thomas F. Bradshaw, Charles E. Lemken and James F. Dennin clerks in the naturalization bureau at salaries of \$1,500 a year. The three appointees are active democratic workers in their respective districts and were recommended for the jobs by County Leader McCooey.

A Three Weeks Holiday.

The Holiday of a Lifetime!

THREE weeks spent steaming through calm tropical seas on one of the most luxuriously appointed ocean-going steamships.

An opportunity given for visiting one of the world's Fruit Gardens—Jamaica, the Queen of the West Indies.

The new Myrtle Bank Hotel now open. Three whole days, with the steamer as your floating hotel, spent in seeing for yourself the marvels wrought by man, machinery and American enterprise on the lushness of Panama.

The entire three weeks will cost you only \$115. If you have not the time to spare you can cruise to Jamaica and back in 10 days for \$55.

Weekly service from New York, Boston, Philadelphia and New Orleans.

From New York:

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